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A PRISON INQUIRY OPENS IN FRANCE

Justice Ministry Looking
Into Brutality Reports

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PARIS, Jan. 10—An investigation into reports of prison brutality in eastern France opened here today in what advocates of reform hope will be the first step toward a major overhaul of the French penitentiary system.

The decision by the Ministry of Justice came after a Government commission conducted an inquiry into the prison at Toul. The commission's findings put this particular prison, which was partly wrecked by rioting last month, in a bad light. Indirectly, all French prisons came in for criticism.

The commission's report created a sensation here, not so much because of its content, which confirmed allegations already made, but because it was made public less than a month after the commission's formation. As several commentators remarked, this went against a long tradition of dragging out investigations in secret.

This morning Le Figaro said, "How can we not salute an unusual fact: a Government commission of inquiry whose creation has not been an elegant way of burying a problem."

Discipline Blamed

The commission was headed by Robert Schmelk, state prosecutor at the country's highest court for criminal cases. After hearing 170 prison officials and prisoners, the commission concluded that the discipline in force at the prison contributed to the disorders.

"It seems," the report said, "that the warden adopted for everyone a strict, even rigorous disciplinary regime that the needs for security and order did not always fully justify with regard to the prison population as a whole." The commission found that much of the punishment meted out was out of proportion to the infractions committed.

The commission said it could find no "systematic brutality" but it also could not dismiss accusations of individual cases of "serious mistreatment." The commission asked for a judicial investigation into these cases but, without waiting for its findings, recommended that the warden, Georges Galiana, be removed together with all other personnel involved in the recent trouble. Removal of the warden was the major demand made by the rioting prisoners.

The most aggressive prisoners were found to be those between 18 and 25, who numbered 215 of 537. The young convicts, according to the commission, were hoping for job training or useful work when they were sentenced to prison. But found on arrival in Toul that they had nothing to occupy their time until very recently when some workshops were installed. Many were kept in isolation cells for long periods.

Hopes Disappointed

"The brutal show of violence of Dec. 9 can in part be explained by the explosive reaction of young people whose hopes were disappointed and whose vitality was smothered instead of being channelled into rational activities," the report said.

There was a widespread assumption that the problems of Toul could be found in most of France's 180 prisons. In the last few months there have been frequent outbreaks and there was said to have been some hesitation within the Government about publishing a report that might encourage further trouble. Today in a prison near Lille and in another in Amiens, some of the prisoners barricaded themselves in workshops. They seek easier living conditions.

Part of the trouble in the prisons was said to be the decrepitude of many of the buildings. The Toul prison is a transformed army barracks built in 1910. Five years ago, Louis Joxe, then Minister of Justice, was quoted as having said that 130 of the 180 prisons ought to be demolished. But the Ministry of Justice has one of the smallest budgets in the Government, a fact that was described as a major factor limiting modernization of the system.